



A bold voice for transportation workers

PROTECTING PASSENGER RAIL WORKERS FROM ASSAULT

Transportation labor has sadly had to increasingly fight for policies that protect front line transportation workers from violent assaults from passengers. The TTD Executive Committee has previously called for comprehensive policy solutions to combat the troubling rise in assaults on airline customer service agents and transit operators. Earlier in our history, TTD and its member unions sought and secured protections for flight attendants and airline pilots. Unfortunately, recent tragic events have compelled us to once again propose safety reforms to protect a segment of the transportation workforce from assault – this time for passenger rail workers.

On May 16, 2017, an Amtrak conductor was shot in the abdomen by an enraged passenger as he stood on the rail platform of the Naperville, IL train station. The conductor, lucky to be alive, has a long road of recovery ahead and the passenger was arrested, charged with attempted murder, and given a court ordered psychiatric evaluation. While this most extreme example of violence is still rare, we know that Amtrak and other rail workers are increasingly facing other forms of violence and abuse that are simply unacceptable. Assault with a deadly weapon, sexual assault, punching, spitting, throwing objects, and verbal abuse are all too common and cannot be tolerated. Passenger rail workers are tasked with the enormous responsibility of safely and efficiently transporting passengers to their destinations. That they also must be concerned for their own physical safety on the job is unconscionable. It is imperative that federal legislators and regulators develop policies for preventing and responding to incidents of assault on passenger rail workers.

As is the case with airline customer service agents and transit operators, there are no national standards for preventing assaults on passenger and commuter rail workers, despite the increase in assaults across the country. For those workers, assault prevention policies need to be tailored to the specific work environment and conditions in which they operate. Passenger rail cars often operate on long stretches between stations, and employees operate in close confines with hundreds of passengers. Under these circumstances, law enforcement is often not readily available to assist with or handle an incident. In fact, the closest law enforcement may be dozens of miles away at the next station.

Given these circumstances, federal policies are appropriate and necessary to deal with assaults on passenger rail workers. For starters, policy makers must require passenger carriers and commuter rail operators to develop clear and concise protocols for how the railroads and workers can prevent and respond to violent situations. Protocols should include de-escalation and self-defense training for front line workers. When an assault takes place, rail operators must have a plan in place to alert law enforcement, isolate the offender, and protect fellow workers and passengers. Trains should not be allowed to continue until the incident has been resolved by law enforcement. Furthermore, should a victim of assault want to pursue criminal charges, their employer should give them the opportunity to do so without any detrimental effect to their employment status. These protocols should be jointly developed by employers and their unions and submitted for approval to the Federal Railroad Administration.

It is also appropriate for Congress to consider whether additional criminal penalties are appropriate to deter and properly prosecute those who assault passenger rail workers. Many passenger trains travel over state lines and there may be confusion over which jurisdiction is best suited to pursue criminal charges. Given the inter-state nature of passenger rail and related concerns with transportation security, strong federal protections may be appropriate. Our criminal code and federal officials must send a very clear signal that these assaults not only harm front-line workers that are simply doing their jobs, but also interfere with our vast transportation network.

No one should have to worry about being physically or verbally assaulted when they go to work. We look to Congress and the administration to strengthen our laws to protect these operators and to ensure that our passenger rail network is safe for workers and passengers alike.

Policy Statement No. F17-04
Adopted November 9, 2017